

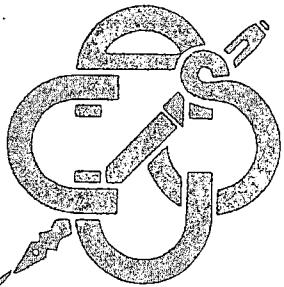
Concordia
University
Students'
Association inc

Association des
Etudiants et Etudiantes
de l'Université
Concordia inc

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CONCORDIA UNIVERSITY STUDENTS' ASSOCIATION

ONE HUNDRED AND THIRTY-FIRST MEETING OF THE BOARD OF
DIRECTORS
HELD ON WEDNESDAY, JANUARY 29, 1992 AT 6:30 P.M.
IN H-769, SIR GEORGE WILLIAMS CAMPUS

1. CALL TO ORDER

Chairperson, Jarno Makkonen, called this meeting to order at 7:00 p.m.

2. ROLL CALL

PRESENT

CO-PRESIDENTS

Eleanor Brown
Charlene Nero

ARTS AND SCIENCE

Jennifer Dang-Tran
Sophie Desjardins
Hernani Farias
Jamie Ross
Phil Toone

COMMERCE

Jimmy Elenakis
Jennifer Kalman
Nick Kaminaris
Kerry Schacter

ENGINEERING

Frank Pathyil

ABSENT

Arts and Science: Kathy Fretz, Heidi Modro, Victoria Rodriguez, Michael Spowart, Etoile Stewart (w/r)
Commerce: Robin Chabot, Marc Tisseur (w/r)
Engineering: Dave Dichmann
Fine Arts: Kellie Coppin (w/r)

3. APPROVAL OF AGENDA

BE IT RESOLVED THAT the Agenda of the 131st Meeting of the Board of Directors Be Approved.

Moved by: H. Farias
Seconded by: J. Ross

Amendments:

N. Kaminaris suggested adding the Approval of the Appointments to CCSL to the agenda following item 5.2.A. He also suggested adding an item on the Negotiating Sub-Committee to be inserted under item 5.0.

Motion:

BE IT RESOLVED THAT Charlene Nero, Janet Mrenica, Hernani Farias, Nick Kaminaris, Connie Morales, Lana Grimes and Brahm Rosensweig be appointed to CCSL for the 1991-92 school year.

Moved by: N. Kaminaris
Seconded by: H. Farias

VOTE ON MOTION TO AMEND **UNANIMOUS**

Motion:

WHEREAS CUSA/CUSAcorp employees have unionized, and;

WHEREAS the next step for CUSA will be to negotiate a Collective Agreement with the CUSA/CUSAcorp Union;

BE IT RESOLVED THAT the CUSA Board of Directors form a closed sub-committee, called the Negotiating Committee;

BE IT FURTHER RESOLVED THAT the sub-committee be mandated to negotiate a Collective Agreement on behalf of the Board with the CUSA/CUSAcorp Union and that once a Collective Agreement has been negotiated such agreement be brought back to the CUSA Board for approval;

BE IT FURTHER RESOLVED THAT the sub-committee be composed of 1 (one) Co-President, 1 (one) Commerce and Administration Director, 1 (one) Engineering and Computer Science Director and 2 (two) Arts and Science Directors;

BE IT FURTHER RESOLVED THAT employees of CUSA/CUSAcorp who are also Directors of CUSA cannot be members of the Negotiating Committee.

Moved by: N. Kaminaris

Seconded by: F. Pathyil

C. Nero suggested dealing with the election item beforehand and requested that this item be inserted under 5.2.A. There were no objections with this request. The Chair pointed out that Appointments to CCSL becomes 5.2.B.

VOTE ON MOTION TO AMEND

UNANIMOUS

J. Elenakis suggested inserting an extension for the nomination deadline regarding the elections.

Motion:

BE IT RESOLVED THAT the nomination deadline be extended to _____.

The Chair suggested inserting this item under 5.2.C.

Moved by: J. Elenakis

Seconded by: J. Ross

VOTE ON MOTION TO AMEND

UNANIMOUS

VOTE ON AMENDED AGENDA

UNANIMOUS

4. APPROVAL OF MINUTES

- Approval of minutes of the informal meeting held on 25/09/92

Moved by: N. Kaminaris

Seconded by: F. Pathyil

MOTION TO DIVIDE THE QUESTION

Moved by: C. Nero

Seconded by: E. Brown

The Chair said that there are two motions of consequence in this set of minutes. C. Nero suggested dealing with approving the two other set of minutes before this set.

MOTION TO TABLE THE MINUTES OF THE INFORMAL MEETING UNTIL AFTER ITEM 5.5

Moved by: C. Nero
Seconded by: N. Kaminaris

VOTE ON MOTION **UNANIMOUS**

- **Approval of minutes of the 129th meeting**

Moved by: H. Farias
Seconded by: J. Ross

C. Nero pointed out that it is not stated in item 6.3 that the motion was tabled before going into committee of the whole. The Chair replied that the correction is duly taken.

VOTE ON MOTION **UNANIMOUS**

- **Approval of the minutes of the informal meeting held on 08/01/92.**

Moved by: N. Kaminaris
Seconded by: H. Farias

H. Farias asked why interviews for the position of CRO were conducted before the deadline expired. P. Toone said that this issue could be brought up upon the approval of the CRO. H. Farias pointed out that there is a motion to approve the appointments to Judicial Board within this set of minutes.

MOTION TO DIVIDE THE QUESTION

Moved by: H. Farias
Seconded by: K. Schacter

VOTE ON MOTION TO DIVIDE THE QUESTION **3/2/7** **CARRIED**

H. Farias said that a very important question has occurred in the last little while, basically being, the nomination deadline for the position of CRO was violated when interviews had been already conducted before the close of advertising. He also added that this is in violation with the CUSA hiring and personnel policy and asked to know who conducted the interviews for this position.

C. Nero said that she agrees with H. Farias but that a strict timetable was set by this Board whereby the Judicial

Board would hire a CRO and that they didn't have many options. She also added that they considered all the applicants equally and that they were doing this Board a favor.

The Chair pointed out that the motion at hand is the appointments of Judicial Board.

MOTION TO CALL THE QUESTION

Moved by: N. Kaminaris

VOTE ON MOTION TO CALL THE QUESTION 7/2/3 **CARRIED**

VOTE ON MOTION TO APPROVE ITEM 5.1 7/2/3 **CARRIED**

C. Nero pointed out that the CRO would be leaving soon and suggested dealing with item 5.1, Approval of CRO.

MOTION TO AMEND THE AGENDA

Moved by: C. Nero

Seconded by: N. Kaminaris

VOTE ON MOTION TO AMEND THE AGENDA **UNANIMOUS**

5.1.A. Approval of CRO

BE IT RESOLVED THAT Akram Bhatti be appointed Chief Returning Officer for the 1991-92 term.

Moved by: C. Nero

Seconded by: N. Kaminaris

G. Holman, a Judicial Board member, introduced the CRO, Akram Bhatti, and said that he was one of ten applicants, eight of which were interviewed in two sessions of three interviews. He also said that interviews were conducted over a three day period and that D. Volpo, C. Morales and himself conducted the interviews.

Akram Bhatti introduced himself and said that this is his first involvement with CUSA and said that he was interviewed on Saturday and started work on Monday.

H. Farias expressed concern over the fact that not all the applicants were interviewed.

A. Bhatti said that these elections are not well publicized. He also said that he placed an ad in the Link and that the Board should try to publicize these elections to promote enthusiasm and energy with hopefully a better turnout at the

polling stations this year.

F. Pathyil asked the CRO if it would be favorable to extend the nomination deadline. A. Bhatti replied that if it is possible it would be favorable. F. Pathyil also asked to know whether people will be appointed to watch out for irregularities. A. Bhatti replied that this will be done.

C. Nero said that the irregularities of hiring the CRO were minimal, considering that three individuals from Judicial Board did conduct the interviews.

MOTION TO CLOSE THE SPEAKERS LIST

Moved by: N. Kaminaris

VOTE ON MOTION TO CLOSE THE SPEAKERS LIST UNANIMOUS

H. Farias said that the issue is to make sure that the Hiring and Appointments Policy was properly followed.

VOTE ON MOTION 8/0/3 CARRIED

5.2 Constitutional Changes

C. Nero said that she spoke with the lawyer and according to him, the Board has the power to make the minor cosmetic changes the Constitution requires by bringing motions to a referendum, those being Article 5.2.2 and the part stating that CUSA can own profit sharing corporations. She also added that these two issues be placed on referendum questions.

The Chair announced a two minute recess to obtain several copies of the constitution.

MOTION TO PLACE THE TWO QUESTIONS REQUIRING CONSTITUTIONAL CHANGES ON THE UPCOMING BALLOTS IN THE GENERAL ELECTIONS

Moved by: C. Nero
Seconded by: E. Brown

Motions:

Do you agree that Article 5.2.2 of the CUSA Constitution should be amended to read: The maximum number of directors shall be thirty (30). The composition not specified in 5.2.1 above shall be determined by the Board of Directors before calling the Annual General Election of the Directors. The composition decided upon shall appropriately reflect the composition of the membership in the different faculties of the University.

Do you agree that the following special By-Law B be added to CUSA's Constitution under Article 21: The

association may own profit sharing companies.

C. Nero said that this is the only way the Board of Directors will resolve the issue of quorum in order to be able to correctly amend the Constitution and guarantee that the association functions properly. She also said that this is the very least that the Board undertake to do this year.

F. Pathyil said that he was under the impression that in accordance with the law, Quebec Student associations that are incorporated are not allowed to own profit sharing corporations. N. Kaminaris replied that a non-profit organization can own a profit organization.

N. Kaminaris asked to know in reference to Article 5.2.2 why the passage stating that "no one faculty may be allocated more than half the available seats" was removed. C. Nero replied that this portion of the motion should be removed from the constitution since it is unfair for the students who represent a disproportionate amount of the fees. She also added that it was probably an oversight when the Commerce and Administration as well as the Engineering and Computer Science Student Association were granted membership that that clause was not changed. Charlene further added that at most these two associations present 15% of the fees and should control very little of the majority of the directors of the Board.

N. Kaminaris said that according to Article 20, any amendments made to the constitution must first be approved by 2/3 of the sitting directors of the Board before going to a referendum. C. Nero replied that the motion is not to amend the constitution, rather it is to put a question on the ballot, under section 17.6 which states that the Board may choose to call referendums on amendments to these by-laws or of questions of importance to the association.

MOTION TO AMEND

Do you agree that Article 5.2.2 of the CUSA Constitution should be amended to read: The maximum number of directors shall be thirty (30). The composition not specified in 5.2.1 above shall be determined by the Board of Directors before calling the Annual General Election of the Directors. The composition decided upon shall appropriately reflect the composition of the membership in the different faculties of the University. However, no one faculty may be allocated more than half the available seats.

Moved by: N. Kaminaris

Seconded by: F. Pathyil

N. Kaminaris said that the intent of this motion is to ensure that no one faculty should be dominating CUSA since CUSA claims to represent all students.

H. Farias said that CUSA has followed an open book policy, whereby CASA and ECA can rejoin the association even though it offers services and service contracts are not honored. He also added that the 50% rule should still be applied and that Commerce and Administration does not represent every student.

C. Nero said that it is grossly unfair that CASA holds a large amount of seats on this Board since this is no longer the intent of the constitution since CASA pulled out. She also added that Fine Arts, which has a much smaller

faculty, contributes much more financially than does CASA and has only three seats on the Board compared to CASA's eight seats.

F. Pathyil said that as long as the administration continues to recognize only one student association, it is important that CUSA provides a voice to those other students.

J. Ross said that Arts and Science students are paying the majority of the fees into this association and should have the strongest voice in CUSA.

N. Kaminaris said that financially, CASA is quite willing to pay 29% of all the services, however, he also addressed the issue that on the Finance Committee there are no representatives from Commerce and Administration nor from Engineering and Computer Science. C. Nero pointed out that N. Kaminaris was the individual who appointed the Commerce representative, E. Florio, who later resigned from the Board.

E. Brown said that she is in favour of proportional representation.

J. Ross said that having membership also carries responsibilities, not only representational responsibilities but fiscal responsibilities as well.

The Chair pointed out that a request has been made to go around the room and get everyone's viewpoint on proportional representation. There were no objections to this request.

C. Nero said that it is important not to lose focus of the fact that should representation ever change, the Board keep it in mind to make suitable amendments.

S. Desjardins said that it is important to make proportional representation, proportional to the amount of money given to the association.

H. Farias said that proportional representation leads to majority rule without minority input and that the same type of political structure should be maintained but that financing of this association needs to be worked on.

N. Kaminaris said that he sees three different issues, one being finances, and the second having to do with all students in general. He also added that something that is lacking within CUSA is within the Arts and Science and Fine Arts Faculty Associations since this is the best mechanism to represent its' students. He also said that CASA and ECA are not concerned with CUSA finances and that in the future CUSA should investigate splitting up the finance aspect and making it exclusively an Arts and Science and Fine Arts jurisdiction that these two faculties decide what they will do with the funds they bring into CUSA. He also added that CUSA would then become a political body and concluded by saying that he supports proportional representation.

F. Pathyil said that concern is expressed at the type of political decisions that this Board can make and a potential danger that the will of one faculty can overtake the will of the other. He also added that this Board is dangerously imbalanced within the Arts and Science Department itself.

L. Grimes said that the student body should be consulted with regards to this issue.

MOVE TO RECESS

Moved by: C. Nero

Seconded by: N. Kaminaris

The Chair pointed out that the debate about this particular motion is rather frivolous and that there is a problem with the structure of CUSA. He also said that the representatives of these three student association should sit down and resolve that question first, whether they are going to re-establish themselves back into CUSA or are they going to break down CUSA itself into a super faculty body. He also added that a rational structure is required because CUSA does not work.

L. Grimes said that it is unfair of the Chair to say that CUSA does not work.

MOVE TO RECONVENE

Moved by: C. Nero

Seconded by: N. Kaminaris

MOTION TO AMEND

Do you agree that Article 5.2.2 of the CUSA Constitution should be amended to read: The maximum number of directors shall be thirty (30). The composition not specified in 5.2.1 above shall be determined by the Board of Directors before calling the Annual General Election of the Directors. The composition decided upon shall appropriately reflect the composition of the membership in the different faculties of the University. However, no one faculty may be allocated more than half the available seats.

Do you agree to delete the sentence: However, no one faculty may be allocated more than half the available seats in Article 5.2.2.

Moved by: F. Pathyil

Seconded by: N. Kaminaris

The Chair pointed out that these are two different questions.

C. Nero said that there is a tremendous potential for confusion as well as the fact that these issues are confusing to the average student who is not familiar with the Constitution. C. Nero added that she would rather withdraw the motion altogether than have two separate questions.

N. Kaminaris proposed having the before excerpt from the Constitution and in bold the changes that are suggested take place in the after excerpt so that students get a clear perceptive of the changes proposed.

E. Brown replaced the Chair for a few minutes.

H. Farias asked to know if the Board is of consensus of calling a referendum on this issue. The Chair pointed out that the motion states that the following question will be placed on a referendum if it passes by this Board.

The Chair pointed out that there will be one main motion which will point out the before and after changes on the proposed question.

F. Pathyil suggested that two separate questions appear on the ballot questionnaires.

C. Nero suggested that the following motion appears as follows:

Motion 569

MOTION TO AMEND

Be It Resolved That the following questions be included as referendum questions at the Annual General Elections:

Do you agree that Article 5.2.2 of the CUSA Constitution should be amended to read: The maximum number of directors shall be thirty (30).

YES _____

NO _____

Do you agree to delete the sentence: However, no one faculty may be allocated more than half the available seats in Article 5.2.2.

YES _____

NO _____

Be It Further Resolved That the Constitutional sections involved are clearly displayed at each polling station in bold type with an explanation of the two substantive changes.

VOTE ON MOTION

UNANIMOUS

C. Nero said that the passage on profit sharing hasn't been discussed yet.

N. Kaminaris asked for background on this issue. C. Nero said that it would be prejudicial to include an explanation for this issue. She further added that the campaigning should be done by a YES or a NO committee.

MOTION

Do you agree that the following special By-law B be added to CUSA's Constitution under Article 21: The association may own profit sharing companies.

YES _____
NO _____

Moved by: C. Nero
Seconded by: E. Brown

VOTE ON MOTION

UNANIMOUS

5.2.A Union

WHEREAS CUSA/CUSAcorp employees have unionized, and;

WHEREAS the next step for CUSA will be to negotiate a Collective Agreement with the CUSA/CUSAcorp Union;

BE IT RESOLVED THAT the CUSA Board of Directors form a closed sub-committee, called the Negotiating Committee;

BE IT FURTHER RESOLVED THAT the sub-committee be mandated to negotiate a Collective Agreement on behalf of the Board with the CUSA/CUSAcorp Union and that once a Collective Agreement has been negotiated such agreement be brought back to the CUSA Board for approval;

BE IT FURTHER RESOLVED THAT the sub-committee be composed of 1 (one) Co-President, 1 (one) Commerce and Administration Director, 1 (one) Engineering and Computer Science Director and 2 (two) Arts and Science Directors;

BE IT FURTHER RESOLVED THAT employees of CUSA/CUSAcorp who are also Directors of CUSA cannot be members of the Negotiating Committee.

Moved by: N. Kaminaris
Seconded by: F. Pathyil

N. Kaminaris said that a collective agreement has to be negotiated with the union and that he has spoken with his labour law who advised him that the Board has to set up a negotiating committee to deal with the union.

F. Pathyil said that the Board should form a committee to eliminate the possibility of any backroom dealing and the need for any problems in the future.

C. Nero said that she has a problem with the composition of the sub-committee and that dividing it according to faculty is a mistake. She also added that it would be more appropriate to divide it in terms of members of committees which deal with the specific issues involved, finance, personnel and CUSAcorp.

L. Grimes said that since the mover and seconder are interested in faculty representation why they have omitted the faculty of Fine Arts. N. Kaminaris replied that there are basically no Fine Arts representatives on this Board. He also said that the Board should have a large say as to what the collective agreement should be and that they are best capable of explaining the negotiations of this sub-committee.

Motion 570**MOTION TO AMEND**

WHEREAS CUSA/CUSAcorp employees have unionized, and;

WHEREAS the next step for CUSA will be to negotiate a Collective Agreement with the CUSA/CUSAcorp Union;

BE IT RESOLVED THAT the CUSA Board of Directors form a closed sub-committee, called the Negotiating Committee;

BE IT FURTHER RESOLVED THAT the sub-committee be mandated to negotiate a Collective Agreement on behalf of the Board with the CUSA/CUSAcorp Union and that once a Collective Agreement has been negotiated such agreement be brought back to the CUSA Board for approval;

BE IT FURTHER RESOLVED THAT the sub-committee be composed of 1 (one) Co-President, 1 (one) representative from the Finance Committee, 1 (one) representative from the Personnel Committee, 1 (one) representative from the CUSAcorp Board and the V.P. CUSAcorp as an ex-officio advisor;

BE IT FURTHER RESOLVED THAT employees of CUSA/CUSAcorp who are directors and also part of the union cannot be members of the Negotiating Committee on behalf of CUSA.

Moved by: N. Kaminaris

Seconded by: F. Pathyil

N. Kaminaris asked for clarification on membership to the union. C. Nero replied that the Vice-Presidents with the exception of D. Porter are members of the union. She further explained that D. Porter, in his capacity as V.P. Finance and V.P. CUSAcorp could not be unionized due to his management capacity. Charlene added that the other four Vice Presidents are arguably members of the union.

L. Grimes said that she objects to C. Nero's remark that the V.P.'s are arguably members of the union when CUSA had the opportunity to contest. C. Nero replied that she has yet to receive an official list from the ministry and until she receives one she will assume that she will assume that it is official.

N. Kaminaris asked if it would be possible for the committee to report back to this Board at every meeting. E. Brown pointed out that committees report to the Board at every meeting since this is the structure of CUSA.

VOTE ON MOTION

10/0/2

CARRIED

The Chair asked for nominations for each of the categories to be filled.

BE IT RESOLVED THAT the following individuals be appointed to the Negotiating Committee: H. Farias from the CUSAcorp Board, J. Ross from the Finance Committee, C. Nero from the Personnel Committee, E. Brown-Co-President and D. Porter as ex-officio advisor for the CUSAcorp Board.

Moved by: F. Pathyil

Seconded by: N. Kaminaris

VOTE ON MOTION

UNANIMOUS

5.2.B Ratification of CCSL Appointments

BE IT RESOLVED THAT Janet Mrenica, H. Farias, N. Kaminaris, C. Morales, C. Nero, L. Grimes and B. Rosensweig be appointed to CCSL for the 1991-92 term.

Moved by: C. Nero

Seconded by: J. Ross

VOTE ON MOTION

UNANIMOUS

5.2.C. Nomination Period

BE IT RESOLVED THAT the nomination period be extended one (1) week.

Moved by: F. Pathyil

Seconded by: J. Elenakis

J. Elenakis expressed concern over the lack of sufficient advertising in promoting awareness for new candidates to be nominated.

L. Grimes said that an advertisement appeared in the issue of the Link three weeks ago.

N. Kaminaris said that students are aware of the upcoming elections and that the response thus far is good. He also added that it is very difficult to change the dates at this point in time.

C. Nero said that it could be suggested to the CRO to extend the nomination period three more days if not enough nomination forms are forthcoming.

L. Grimes said that there are logistical problems with regards to extending the deadlines since advertising has taken place, room bookings have taken place, and that posters have been prepared and posted in various locations.

VOTE ON MOTION TO EXTEND **2/6/2** **FAILED**
THE NOMINATION DEADLINE
TO 05/02/92

This meeting was adjourned at 9:55 p.m.

J. Makkonen, Chairperson

H. Danakas
H. Danakas, Secretary